

==== COVER PAGE ===

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TO: \_\_\_\_\_

FROM:

HERSHKOVITZ & ASSOC.

FAX RECEIVED  
JAN -5 2009

FAX: 7033704809

TEL: 7033704800

COMMENT:

2845 DUKE STREET  
ALEXANDRIA, VA 22314  
Phone: 703-370-4800  
Fax: 703-370-1809

**HERSHKOVITZ &  
ASSOCIATES**

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**Fax**

JAN -5 2009

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<b>To:</b>	Ms. Cheryl Gibson- Baylor	<b>From:</b>	Abe Hershkovitz
<b>Fax:</b>	571-273-0025	<b>Date:</b>	January 5, 2009
<b>Phone:</b>	571-272-3213	<b>Pages:</b>	7
<b>RE:</b>	US Serial No. 08/656,725 filed June 3, 1996 by J.P. Verduin for NANOMETER-SIZED MOLECULAR SIEVE CRYSTALS OR AGGLOMERATES AND PROCESS FOR THEIR PRODUCTION; Our Ref. J3600.17		

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**Urgent**  **For Review**  **Please Comment**  **Please Reply**  **Please Recycle**

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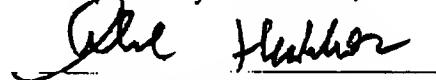
\*\*\*\*\***CONFIDENTIALITY NOTE**\*\*\*\*\*

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Dear Ms. Gibson-Baylor:

As indicated in the telephone inquiry this afternoon, attached hereto is a **COURTESY COPY** of a Rule 181 Petition and its attachments as filed in the USPTO on December 29, 2008 in the Mail Room. We would appreciate these papers being assigned to a Petitions Examiner and being acted upon in the Office of Petitions. Additionally, please contact us once the Petition is assigned to a Petitions Attorney so as to enable us to file supplemental documentation.

Respectfully submitted,



Abe Hershkovitz

Attachments: Transmittal, Rule 181 Petition,  
Copy of Request to File Rule 62  
FWC Appln, Copy of Express Mail  
Label, and Copy of USPTO  
Date-Stamped Receipt Postcard

J3600.17-F01.USPTO: AH/pjj



HERSHKOVITZ & ASSOCIATES, LLC  
2845 DUKE STREET  
ALEXANDRIA, VA 22314  
703-370-4800

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JAN -5 2009

In re application of : J.P. VERDUJN Docket No.: J3600.17  
 Application No. : 08/656,725 Group Art Unit: 1108  
 Filed : June 3, 1996 Examiner: D. SAMPLE  
 For : NANOMETER-SIZED MOLECULAR SIEVE CRYSTALS OR AGGLOMERATES AND PROCESS FOR THEIR PRODUCTION

COMMISSIONER FOR PATENTS  
 Mail Stop PETITION  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is **PETITION UNDER 37 CFR §1.181(a)(3), COPY OF REQUEST TO FILE 37 CFR §1.62 FILE WRAPPER CONTINUATION, COPY OF EXPRESS MAIL LABEL AND COPY OF USPTO DATE-STAMPED RECEIPT POSTCARD** in the above-captioned application.

The fee has been calculated as shown below:

Claims After Response	No. of Claims Previously Paid	Present Extra	Small Entity Rate   Fee		Large Entity Rate   Fee	
			x 25=	\$	x 50=	\$
Total Claims:		0	x 25=	\$	x 50=	\$
Indep. Claims:		0	x 105=	\$	x 210=	\$
Multiple Dependent Claims Presented			+185=	\$	+375=	\$
Total:				\$	Total:	\$

Please charge my Deposit Account No. 50-2929 in the amount of \$ .

Fee Authorization given through EFS-Web form.

A Check in the amount of \$ to cover the necessary fee is included.

The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-2929:

Any additional filing fees required under 37 C.F.R. 1.16.

Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136)(a)(3).

December 29, 2008  
 Date

J3600.17-PET; AH/pjl

Abraham Hershkovitz  
 Reg. No. 45,294

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : J.P. Verduijn FAX RECEIVED

US Appl. No. : 08/656,725 (Rule 62 FWC of 08/211,873) JAN -5 2009

Filed : June 3, 1996 (Parent filed June 3, 1994)

For : NANOMETER-SIZED MOLECULAR SIEVE CRYSTALS  
OR AGGLOMERATES AND PROCESS FOR  
THEIR PRODUCTION

Examiner : D. Sample

Group Art Unit: 1108

Conf. No. : Unknown

**PETITION UNDER 37 CFR §1.181(a)(3)**

December 29, 2008

Mail Stop Petitions  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant respectfully petitions the Commissioner for immediate action, as discussed below.

Submitted herewith is a copy of a Request for Filing a 37 CFR §1.62 File Wrapper Continuation (FWC) Application which was submitted to the USPTO on June 3, 1996, as a FWC of parent application US Serial No. 08/211,873 filed June 3, 1994.

As indicated in the Request, Applicant authorized the filing fee of \$862 be charged to Deposit Account No. 05-1712 for the above-identified Rule 62 FWC. Applicant respectfully informs the Office that the USPTO Office of Finance was contacted by telephone on December 23, 2008, and the USPTO confirmed that such amount was charged to the Deposit Account 05-1712 and was not refunded at any time subsequent thereto. Accordingly, Applicant respectfully submits that the USPTO received the filing fee for the above-identified Rule 62 FWC.

J3600.17.A01

Page 2

Also as indicated in the Request, the form and its attachments were submitted to the USPTO by USPS Express Mail, and a proper certification of mailing, as well as identification of the USPS Express Mail label number and date of deposit with the USPS, appear on the face of the Request.

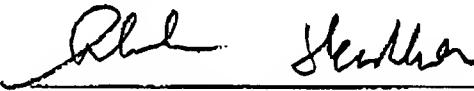
Also submitted herewith is a copy of the USPS Express Mail mailing label used for submission of the Request and its attachments, showing the USPS "date-in" stamp of June 3, 1996. Thus, the filing of this Rule 62 FWC constituted a timely and complete filing by the June 1, 1996 deadline (June 1, 1996 was a Saturday).

Further submitted herewith is a copy of the filing receipt postcard itemizing the documents filed with the Request and carrying the USPTO Mail Room date stamp acknowledging receipt of such items, which is *prima facie* evidence of filing. The receipt postcard also carries the USPTO stamped number "08/656,725" to indicate that the USPTO assigned Serial No. 08/656,725 to the Rule 62 FWC requested by Applicant. Accordingly, Applicant respectfully submits that all of the filing requirements for a Rule 62 FWC Application made on June 3, 1996 were completed and timely filed, as indicated in the attachments submitted herewith and as approved by the USPTO with an indication of a serial number and charge of a filing fee.

Since the filing of the Rule 62 FWC Application, Applicant has filed a number of status inquiries, all to no avail. Therefore, Applicant respectfully petitions the Commissioner for immediate action in the subject application.

No fee is required for entry and grant of this Petition..

Respectfully submitted,  
J.P. Verduijn



Abraham Hershkovitz  
Registration No. 45,294

HERSHKOVITZ & ASSOCIATES, LLC  
2845 Duke Street  
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J3600.17.A01; AH/pj

"PATENT"

## 37 CFR 1.62 CONTINUATION OR DIVISIONAL FILING FORM

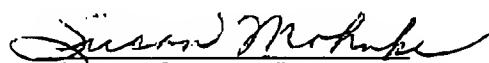
Case Docket No. 91A055/2  
 Anticipated Class of this Application:  
 Class \_\_\_\_\_ Subclass \_\_\_\_\_  
 Prior Application 08/211,873  
 Examiner: D. Sample  
 Art Unit: 1108

COMMISSIONER OF PATENTS AND TRADEMARKS  
 BOX FWC  
 WASHINGTON, D.C. 20231

Sir:

"Express Mail" mailing label number EM 141452378US Date of Deposit June 3, 1998.  
 I hereby certify that this paper or fee is being deposited with the United States Postal Service  
 "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and  
 is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Susan Mohnke  
 (Typed or printed name of person mailing  
 paper or fee)

  
 (Signature of person mailing paper or  
 fee)

This is a request for filing a

Continuation application under 37 CFR 1.62,  
 Divisional

of pending prior application Serial No. 08/211,873 filed on June 3, 1994.

of

J. P. Verdulin

(List All Inventors, Full Name)

for

Nanometer-Sized Molecular Sieve Crystals or Agglomerates and Processes for Their Production  
 (Title of Invention) The Filing Fee is calculated below.

CLAIMS AS FILED, LEAVING ANY CLAIMS CANCELED BY AMENDMENT BELOW				
For	Number Filed	Number Extra	Rate	Basic Fee
Total Claims	28-20	8	x \$22.00	\$132.00
Independent Claims	3-3 =	0	x \$78.00	-0-
Multiple Dependent Claim Fee			\$240.00	-0-
			TOTAL FILING FEE	\$862.00

- Charge \$862.00 to Deposit Account No. 05-1712.
- The Commissioner is hereby authorized to charge any additional fees which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 05-1715 or 05-1712. A duplicate copy of this Form is enclosed.
- Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee.
- Amend the specification by inserting before the first line the sentence: This is a  continuation,  divisional, of application Serial No. 08/211,873, filed June 3, 1994.

WIN/86SGM11B.DOC/SGM

- Transfer the drawings from the prior application to this application.
- New formal drawings and one set of copies thereof are enclosed.
- Priority of application Serial No.PCT/EP92/02386 filed on 10/19/92 which is based on GB 9122499.8 filed on 10/23/91 and GB 9211745.8 filed on June 3, 1992 is claimed under 35 U.S.C. § 119.

The certified copy has been filed in prior application Serial No. 08/211,873, filed June 20, 1994.

- The prior application is assigned of record to \_\_\_\_\_.

- The power of attorney in the prior application is to:

Edward F. Sherer, Reg. No., 29,5898, Exxon Chemical Co., 5200 Bayway Drive, Baytown,  
Texas 77520

(Name(s), Reg. No.(s) and Address)

- a.  The power appears in the original papers of the prior application.
  - b.  Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
  - c.  Address all future communications to: Exxon Chemical Company, Law Technology, P. O. Box 2149, Baytown, Texas 77522.
- Abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
- Information Disclosure Statement, Form - 1449 is enclosed.
- Copies of citations as listed on attached Form - 1449 are enclosed.
- A preliminary amendment is enclosed.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that those statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

June 3, 1998

Date of Signature

Attorney or Agent  
Edward F. Sherer

Registration No. 29,588  
Telephone No. (713) 425-5833  
Facsimile No. (713) 425-2911

- Attorney or agent of record  
 Filed under 37 CFR 1.34(a)

Post Office Address (to which correspondence is to be sent):

Exxon Chemical Company  
Law Technology  
P. O. Box 2149  
Baytown, Texas 77522-2149

POST OFFICE  
TO ADDRESSEE



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<input type="checkbox"/> Merchandise	<input type="checkbox"/> Saturday	Postage	\$ 15.00
Insurance (Domestic and International) Invoice may be required. See Pub. 273 and International Mail Manual.			
No Delivery	<input type="checkbox"/>	Return Receipt	
Weekend	<input type="checkbox"/>	2nd Day	<input type="checkbox"/>
Holiday	<input type="checkbox"/>	3rd Day	<input type="checkbox"/>
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1 lb		Total Postage & Fees	\$ 15.00
Acceptance Gloria M. Hiltz			

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**WEEKEND**  **HOLIDAY**

Customer Signature:

**PATENT OFFICE MAIL ROOM** - Please place the mail room date stamp on this card to indicate receipt by the Patent Office of the paper identified below and return same to us.

Application Serial No. 06/112544 1039 001 220

Filed 6/3/96

Type of Paper 1.62 Continuation of 08/21/873,

Preliminary Amendment, Form 1449, and  
reference)

Family No. 919055/3

**08/656725**

Date Mailed 6/3/96

\*\*\*\*\*  
\*\*\* RX REPORT \*\*\*  
\*\*\*\*\*

RECEPTION OK

TX/RX NO	5375
RECIPIENT ADDRESS	7033704809
DESTINATION ID	
ST. TIME	01/05 19:38
TIME USE	02'04
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